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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

## **EXXON MOBIL CORPORATION,**

Case No. 2:22-cv-03225(DMG MRWx)

**Petitioner/Plaintiff,**

V.

## SANTA BARBARA COUNTY BOARD OF SUPERVISORS,

## **Respondent/Defendant.**

and

ENVIRONMENTAL DEFENSE  
CENTER, GET OIL OUT!, SANTA  
BARBARA COUNTY ACTION  
NETWORK, SIERRA CLUB,  
SURFRIDER FOUNDATION,  
CENTER FOR BIOLOGICAL  
DIVERSITY, and WISHTOYO  
FOUNDATION.

## Proposed Defendant-Intervenors.

**DECLARATION OF KENNETH  
PALLEY IN SUPPORT OF  
MOTION TO INTERVENE**

Hon. Dolly Gee

Hearing: October 21, 2022

Time: 9:30 a.m.

Place: Courtroom 8C,  
350 West 1st Street, Los Angeles

1 I, Kenneth Palley, declare as follows:

2       1. My name is Kenneth Palley, I am 75 years of age and have personal  
3 knowledge of the following facts, and if called as a witness would testify to these  
4 facts under oath.

5       2. I currently live in Santa Barbara, where I have lived for the last 38  
6 years.

7       3. I am a current member and executive committee member of  
8 Surfrider Foundation, Santa Barbara chapter. I have been a member of Surfrider  
9 Foundation for approximately 20 years.

10      4. Surfrider Foundation is a 501C(3) public interest environmental  
11 organization dedicated to the preservation and protection of the world's beaches,  
12 ocean, and surf breaks for the benefit of all people.

13      5. Surfrider Foundation was founded in 1984. Our chapter was founded  
14 in 1991. Although our chapter does a variety of things, the battle to preserve the  
15 Gaviota coast--the roughly 20 miles of relatively undeveloped coastline just north  
16 and west of Santa Barbara--has been the single issue that has occupied the  
17 greatest portion of our time, energy, and resources. Specifically, we have opposed  
18 inappropriate development, oil drilling, pumping and transport, and other  
19 activities that threaten the unique biological, recreational and cultural values of  
20 the Gaviota coast. This coastline would be directly impacted by ExxonMobil's  
21 dangerous trucking proposal, and it is therefore crucial to Surfrider's mission and  
22 work that the project not be allowed to go forward.

23      6. I have enjoyed the Gaviota coast in many ways for the past 30 years  
24 or so. I have been surfing, hiking and bird watching in that area since the early  
25 90's. In addition, I regularly drive from Santa Barbara to Los Olivos, Los Alamos,  
26 Santa Maria, and San Luis Obispo to go bird watching or wine tasting. I would  
27 certainly feel my health and safety to be potentially endangered if that already  
28 frequently busy corridor were further encumbered by multiple daily trips of toxic

1 and flammable tanker truckloads of oil, which would occur if ExxonMobil's  
2 project were allowed to go forward as result of this litigation. ExxonMobil wants  
3 to transport large amounts of oil by truck over a very busy highway along a very  
4 delicate and environmentally sensitive section of the California coast. It just  
5 seems like a recipe for disaster.

6       7. This project undoubtedly threatens our coastline and local  
7 watersheds with the unacceptable risk of oil spills. Our county and that area has  
8 already suffered enough from serious oil spills that have had long term adverse  
9 effects on the marine and coastal environment in addition to their adverse effects  
10 on our local economy. After the 1969 massive oil spill and then the more recent,  
11 May 19, 2015 oil spill it is now apparent that oil wells, oil pipelines and trucks all  
12 pose a huge hazard to the health and economy of our County. I also recall the  
13 March 2020 oil spill when a tanker overturned on Highway 166 and spilled  
14 thousands of gallons of crude oil into the Cuyama River. Enough is enough! If the  
15 project could proceed, its increased risk of oil spills would absolutely degrade my  
16 use and enjoyment of the Gaviota coast for wildlife observation, surfing, and  
17 hiking because it would harm this already fragile ecosystem, decreasing wildlife  
18 abundance and reducing the aesthetic value of the coastline.

19       8. We at Surfrider, along with numerous other local, regional and  
20 national environmental organizations, have been fighting for decades to stop the  
21 proliferation of projects, just like this one, that continually threaten to wreak  
22 havoc on our coast and ocean.

23       9. We actively participated in the administrative process leading to the  
24 County's denial of the project. I have been encouraging everyone I know to write  
25 to their district county supervisor to oppose this trucking plan. I have voted to  
26 have our chapter (Surfrider Foundation Santa Barbara chapter) oppose it and  
27 encouraged the Environmental Defense Center, which represents Surfrider  
28 Foundation, to do everything it can to stop this plan. We joined comments

1 submitted to the County urging opposition to the Project both when it was before  
2 the Planning Commission and Board of Supervisors.

3 I declare under penalty of perjury that the foregoing is true and correct to  
4 the best of my knowledge, information, and belief.  
5

6 Executed at Goleta, California, on August 23, 2022.  
7

8 *Kenneth S. Palley*  
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10 Kenneth Palley  
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